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7 Attorneys for Defendant WORLD SAVINGS BANK F.S.B.,
renamed and now known as
8 WACHOVIA MORTGAGE F.S.B.

9
10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 JOHN C. OTTEN

13 Plaintiff,

14 vs.

15 HOME COMING FINANCIAL
MORTGAGE, NAVY FEDERAL
16 CREDIT UNION, WORLD
SAVINGS,

17 Defendants.

Case No. 08 CV0254 JM (JMA)

[Hon. Jeffrey T. Miller]

DEFENDANT WORLD SAVINGS'
NOTICE OF MOTION AND
MOTION TO DISMISS OR,
ALTERNATIVELY, MOTION FOR
MORE DEFINITE STATEMENT
[FRCP 12(b)(6) and 12(e)]

18 Date: April 11, 2008
Time: 1:30 p.m.
19 Ctrm: 16

20
21 TO PLAINTIFF:

22 PLEASE TAKE NOTICE that on April 11, 2008 at 1:30 p.m. in Courtroom
23 16 of the above-entitled court located at 940 Front Street, San Diego, California
24 92101, the Honorable Jeffrey T. Miller, presiding, defendant World Savings Bank,
25 F.S.B. (sued as World Savings) succeeded by and now known as Wachovia
26 Mortgage F.S.B., ("World Savings") will, and hereby does, move pursuant to FRCP
27 12(b)(6) for an order dismissing the Complaint, or in the alternative, pursuant to
28 FRCP 12(e) for an order requiring a more definite statement.

1 Grounds for the motion are that Plaintiff fails to specify any claim for which
2 relief can be granted. The Complaint is incomprehensible and states no basis for
3 relief.

4 The motion is based on this notice, the accompanying memorandum of points
5 and authorities, the Complaint, and on World Savings' argument at the hearing.

6 Respectfully submitted,

7 Dated: March 6, 2008

ANGLIN, FLEWELLING, RASMUSSEN,
CAMPBELL & TRYTTEN LLP

9 By: /s/ Robert A. Bailey

10 Robert A. Bailey
11 Attorneys for Defendant WORLD
12 SAVINGS BANK, F.S.B., renamed by and
13 now known as WACHOVIA MORTGAGE
14 F.S.B.
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